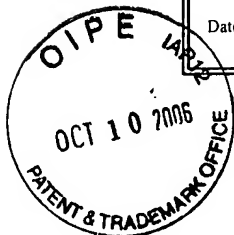


Amendment, Petition For Correction of Inventorship of Patent
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10-6-06

Signature: Alexandra Dietrich
(Alexandra Dietrich)

DAC
TFW
PATENT
66578-0005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT (37 C.F.R. §1.324)

1. This is a petition for correction of error in a;
☐ misjoinder
☒ nonjoinder
of inventor(s) in the above issued patent. It is respectfully requested that the PTO issue a certificate correcting the error.

2. Enclosed herewith is (37 C.F.R. § 1.324(b)):

A. ☒ a statement from each person who is being added as an inventor (**Exhibit A**), and/or
☐ a statement from each person who is being deleted as an inventor that the inventorship error occurred without any deceptive intention on his or her part.

B. A statement from the current named inventors who have not submitted a statement under A, above:

☒ agreeing to the change of inventorship (**Exhibits B and C**)

or

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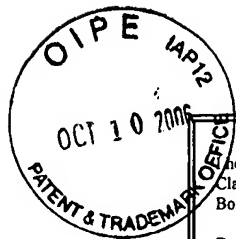
- ☐ stating that there is no disagreement in regard to the requested change.
3. *(if the patent is assigned, check the following)*
Note: The assignee of each person who is being added or deleted and from the current inventor(s) who are not being added or deleted as inventor must file a consent (complying with the requirements of § 3.73(b)) to the change of inventorship. 37 C.F.R. § 1.324.(b)(3).
- ☒ Also enclosed is the written consent of the assignee (**Exhibit D**).
☒ A statement under 37 C.F.R. § 3.73(b), establishing right of assignee to take action, is also enclosed (**Exhibit E**).
4. The fee required (37 C.F.R. § 1.20(b))--\$130.00) is paid as follows:
- Charge Account No. 18-0013 the sum of \$170.00. (\$130 for Petition Fees and \$40.00 for recording Assignment)
Charge Account No. 18-0013 for any fee deficiency.
Credit any overpayment in the manner authorized above.
5. Request for Certificate of Correction to Add Additional Inventor (37 C.F.R. § 1.324) is attached as (**Exhibit F**).
6. An Executed Oath & Declaration from the Added Inventor is attached as (**Exhibit G**).

Date:

10/06/06



Bill C. Panagos, Reg. No. 31,956
Rader, Fishman & Grauer PLLC
39533 Woodward Avenue, Suite 140
Bloomfield Hills, MI 48304
248-594-0600
Customer No. 010291



Declaration	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>10-6-06</u>	Signature: <u>Alexandra Dietrich</u> (^{Phanie A. Frash} Alexandra Dietrich)

PATENT
66578-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY
PETITION TO CHANGE INVENTORSHIP IN PATENT (37 C.F.R. § 1.324(b)(1))**

I, Jason Martin, who is being added as an inventor by the Petition being submitted to correct the inventorship of this patent, and having been advised that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001, and may jeopardize the validity of the patent or any patent issuing thereon, hereby make the following declaration:

1. I am a co-inventor in the above-identified patent.
2. Through error I was not listed as an inventor in the initial patent application.
3. The inventorship error in failing to include my name as an inventor on this patent occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 30 May 2006

Jason Martin
Jason Martin

Declaration	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>10-6-06</u>	Signature: <u>Alexandra Dietrich</u> (Alexandra Dietrich)

66578-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEM

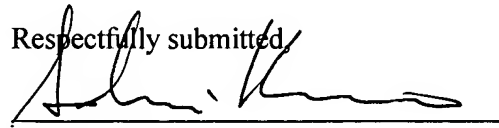
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY
PETITION TO CHANGE INVENTORSHIP IN PATENT (37 C.F.R. § 1.324(b)(1))**

I, Admir Kreso, who is being added as an inventor by the Petition being submitted to correct the inventorship of this patent, and having been advised that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001, and may jeopardize the validity of the patent or any patent issuing thereon, hereby make the following declaration:

1. I am a co-inventor in the above-identified patent.
2. Through error I was not listed as an inventor in the initial patent application.
3. The inventorship error in failing to include my name as an inventor on this patent occurred without any deceptive intention on my part.

Date: 5/19/06

Respectfully submitted,

Admir Kreso



Declaration	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>10-6-06</u>	Signature: <u>Alexandra Dietrich</u> (Alexandra Dietrich)

66578-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEMMail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY
PETITION TO CHANGE INVENTORSHIP IN PATENT (37 C.F.R. § 1.324(b)(1))**

I, Brian Andrew Lewallen, who is being added as an inventor by the Petition being submitted to correct the inventorship of this patent, and having been advised that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001, and may jeopardize the validity of the patent or any patent issuing thereon, hereby make the following declaration:

1. I am a co-inventor in the above-identified patent.
2. Through error I was not listed as an inventor in the initial patent application.
3. The inventorship error in failing to include my name as an inventor on this patent occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 6/6/06
Brian Andrew Lewallen



Declaration

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10-6-06

Signature: Alexandra Dietrich
(Alexandra) (Dietrich)

66578-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT BY
CORRECTLY NAMED INVENTORS (37 C.F.R. § 1.324(b)(2))**

I, Richard Michael Avery, Jr., an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

- ☒ I agree to the change of inventorship of this patent.
- ☐ I have no disagreement in regard to the requested change of inventorship of this patent.

Respectfully submitted,

Date: 9/25/06

Richard Michael Avery, Jr.
Richard Michael Avery, Jr.



Declaration	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>10-6-06</u>	Signature: <u>Alexandra Dietrich</u> (Alexandra Dietrich)

PATENT
66578-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


STATEMENT AGREEING TO CHANGE INVENTORSHIP IN PATENT BY
CORRECTLY NAMED INVENTORS (37 C.F.R. § 1.324(b)(2))

I, Leopold Super, an inventor signing below and who is correctly named in the above-identified patent, make the following statement in support of the petition to correct the inventorship of this patent:

- ☒ I agree to the change of inventorship of this patent.
- ☐ I have no disagreement in regard to the requested change of inventorship of this patent.

Respectfully submitted,

Date: 05/25/06


Leopold Super



Statement Under 37 C.F.R. Section 3.73(b)	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, prepaid, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: <u>10-6-06</u>	Signature: <u>Alexandra Dietrich</u> (Alexandra Dietrich)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,880,497

Issue Date: April 19, 2005

Name of Applicant: Avery, Jr., et al.

Title of Invention: SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION
BASED ON INTAKE MANIFOLD AIR TEMPERATURE AND TIME
IN AN EGR SYSTEM

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. SECTION 3.73(b)
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

2. Name of assignee: Detroit Diesel Corporation
Type of assignee: Corporation

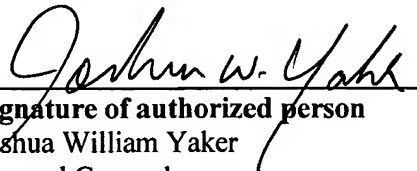
PERSON AUTHORIZED TO SIGN

3. Name of person authorized to sign on behalf of assignee: Joshua William Yaker
Title of person authorized to sign: General Counsel

I, the person signing below, states that I am empowered to sign this statement on behalf of the assignee.

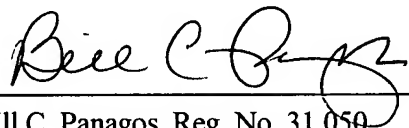
BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established by an assignment, a copy of which is attached hereto, from the inventors of the matter identified above,



Signature of authorized person
Joshua William Yaker
General Counsel

Date: 10/6/06



Bill C. Panagos, Reg. No. 31,050
Rader, Fishman & Grauer PLLC
39533 Woodward Ave., Suite 140
Bloomfield Hills, MI 48304
248-594-0600
Customer No. 010291

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10-6-06

Signature: Alexandra Dietrich
(Alexandra Dietrich)

Docket No.: 66578-0005
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Avery, Jr., et al.

Patent No.: 6,880,497

Issued: April 19, 2005

For: SYSTEM AND METHOD FOR
CONSTROLLING FAN ACTIVATION BASED
ON INTAKE MANIFOLD AIR
TEMPERATURE AND TIME IN AN EGR
SYSTEM

**REQUEST FOR CERTIFICATE OF CORRECTION
TO ADD ADDITIONAL INVENTOR PURSUANT TO 37 CFR 1.324**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. It is noted that pursuant to the concurrently filed petition for correction that the above-identified patent was issued without the name of the inventors, Jason Martin, Admir Kreso and Brian Andrew Lewallen. This omission occurred in good faith without deceptive intention. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is requested.

2. Please add as inventors to the issued patent, Jason Martin of Livonia, MI (US), Admir Kreso of Canton, MI (US) and Brian Andrew Lewallen of Emporia, KS (US).

3. Proof of the correct name of the inventors are established in the Petition for Correction of Inventorship of Patent and Assignment of the inventor to Detroit Diesel Corporation both concurrently filed herewith.

4. Please send the Certificate of Correction to:

Bill C. Panagos
Rader, Fishman & Grauer PLLC
39533 Woodward Avenue, Suite 140
Bloomfield Hills, MI 48304

Applicant has authorized payment of all required fees in the accompanying Petition and believes no other fees are due with this request. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66578-0003 from which the undersigned is authorized to draw.

Dated: 10/6/06

Respectfully submitted,

By 
Bill C. Panagos

Registration No.: 31,050
RADER, FISHMAN & GRAUER PLLC
39533 Woodward Avenue, Suite 140
Bloomfield Hills, Michigan 48304
(248) 594-0600
Attorney for Applicant



Declaration and POA for Patent Application

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10-6-06

Signature: Alexandra Dietrich (Alexandra Dietrich)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR CONTROLLING FAN ACTIVATION BASED ON
INTAKE MANIFOLD AIR TEMPERATURE AND TIME IN AN EGR SYSTEM**

the patent of which was issued on April 19, 2005 as Patent No. 6,880,497.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Rader, Fishman & Grauer PLLC**, 39533 Woodward Avenue, Suite 140, Bloomfield Hills, Michigan 48304, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Bill C. Panagos	31,050

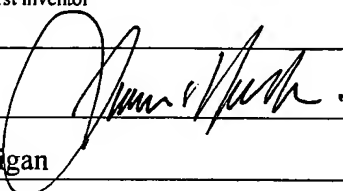
I hereby appoint the practitioner(s) associated with **Customer Number 10291** to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

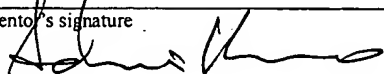
Please mail all correspondence to Bill C. Panagos, whose address is:

Rader, Fishman & Grauer PLLC
 39533 Woodward Avenue
 Suite 140
 Bloomfield Hills, Michigan 48304

Please direct telephone calls to: Bill C. Panagos at (248) 594-0658.

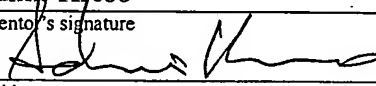
Please direct facsimiles to: (248) 594-0610

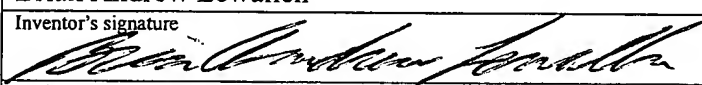
Full name of sole or first inventor Jason Martin	
Inventor's signature 	Date 30 May 2006
Residence Livonia, Michigan	
Citizenship US	
Mailing Address 29955 Richland Street Livonia, Michigan 48150	

Full name of sole or first inventor Admir Kreso	
Inventor's signature 	Date 5/19/06
Residence Canton, Michigan	
Citizenship US	
Mailing Address 416 Sylvan Drive Canton, Michigan 48188	

Full name of sole or first inventor Brian Andrew Lewallen	
Inventor's signature	Date
Residence Emporia, Kansas	
Citizenship US	
Mailing Address 930 Huntington Road Emporia, Kansas 66801	

Full name of sole or first inventor Jason Martin	
Inventor's signature	Date
Residence Livonia, Michigan	
Citizenship US	
Mailing Address 29955 Richland Street Livonia, Michigan 48150	

Full name of sole or first inventor Admir Kreso	
Inventor's signature 	Date 5/19/06
Residence Canton, Michigan	
Citizenship US	
Mailing Address 416 Sylvan Drive Canton, Michigan 48188	

Full name of sole or first inventor Brian Andrew Lewallen	
Inventor's signature 	Date 6/6/06
Residence Emporia, Kansas	
Citizenship US	
Mailing Address 930 Huntington Road Emporia, Kansas 66801	